

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

SCOTT WADE RAMEY,

Civil No. 11-1585 (JRT/TNL)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

STATE OF MINNESOTA AND
PATRICIA RAINY,

Defendants.

Scott Wade Ramey, 613 SW Second Street, Rochester, MN 55902, pro se plaintiff.

Craig Nelson, **OFFICE OF THE FREEBORN COUNTY ATTORNEY**, 411 South Broadway Avenue, Albert Lea, MN 56007, for Defendant State of Minnesota.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Tony N. Leung dated June 20, 2012 [Docket No. 10]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Petitioner's Petition Under 28 USC § 2254 for Writ of Habeas Corpus by a Person in State Custody [Docket No. 1.] is **DENIED**;

2. This action is **DISMISSED WITH PREJUDICE**; and
3. The certificate of appealability is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: July 12, 2012
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge